

Mayor Mary Cooper called the meeting to order at 7:00 p.m. Also present were Councilmembers Kay Carlquist, Robert Jurca, Guy Pfalzgraff and Bill Seuell, along with Acting City Manager Glen Black and City Attorney Mike Schottelkotte. A meeting notice was posted in the south window at City Hall at least twenty-four hours prior to the meeting.

**Pledge of Allegiance**

The Mayor led everyone present in the Pledge of Allegiance.

**Changes to the Agenda**

There were none.

**Minutes**

It was moved by Councilmember Jurca and seconded by Councilmember Pfalzgraff to approve the minutes of November 3, 2009 regular meeting and November 10, 2009 special meeting as submitted by the Clerk. All in favor, motion carried.

**Citizen Comments**

There were none.

**Financial Report**

Finance Director Tod DeZeeuw presented the financial report for period ending October 31, 2009 and answered questions from Council.

**Public Hearing: 2010 Budget**

The Mayor closed the regular meeting and convened a public hearing.

They Mayor called for public comment and when there was none she closed the public hearing and reconvened the regular meeting.

**Resolution #8, 2009: Setting the Mill Levy**

Resolution #8, 2009

A RESOLUTION LEVYING GENERAL PROPERTY TAXES FOR  
THE YEAR OF 2009 TO HELP DEFRAY THE COSTS OF  
GOVERNMENT OF THE CITY OF DELTA, COLORADO, FOR  
THE 2010 BUDGET YEAR

was read by the Clerk.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Jurca to adopt Resolution #8, 2009. Roll call vote: Councilmembers Seuell aye, Pfalzgraff aye, Jurca aye, Carlquist aye and Cooper aye. Motion carried.

**Resolution #9, 2009: Adopting the 2010 Budget**

Resolution #9, 2009

A RESOLUTION ADOPTING A BUDGET FOR THE CITY OF  
DELTA, COLORADO, FOR THE CALENDAR YEAR BEGINNING  
THE FIRST DAY OF JANUARY, 2010, AND ENDING ON THE  
THIRTY-FIRST DAY OF DECEMBER, 2010

was read by the Clerk.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to adopt Resolution #9, 2009. Roll call vote: Councilmembers Seuell aye, Pfalzgraff aye, Jurca aye, Carlquist aye and Cooper aye. Motion carried.

**Regular Meeting, Delta City Council, November 17, 2009 (Cont.)**

**Council Bill #10, 2009; First Reading**  
**2010 Appropriations**

Council Bill #10, 2009

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO THE  
VARIOUS FUNDS AND SPENDING AGENCIES IN THE  
AMOUNTS AND FOR THE PURPOSES SET FORTH BELOW  
FOR THE CITY OF DELTA, COLORADO, FOR THE 2010  
BUDGET YEAR

was read by the Clerk.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Carlquist to adopt Council Bill #10, 2009 on first reading. Roll call vote: Councilmembers Seuell aye, Pfalzgraff aye, Jurca aye, Carlquist aye and Cooper aye. Motion carried.

**Public Hearing: Special Events Permit Application; Delta County Memorial Hospital Foundation**

The Mayor closed the regular meeting and convened a public hearing

The Clerk explained that the Delta County Memorial Hospital Foundation has submitted a special events permit application for their fundraising event to be held on January 23, 2010. She stated that the application is complete and all fees have been paid. A notice of hearing was posted at the Oncology Center where the event will take place notifying the public of this hearing and no comments have been received.

The Mayor called for public comment and when there was none she closed the public hearing and reconvened the regular meeting.

It was moved by Councilmember Carlquist and seconded by Councilmember Jurca to approve the Delta County Memorial Hospital Foundation's application for a special events liquor permit for January 23, 2010. All in favor, motion carried.

**Tavern Liquor License Renewal: Sewell's, LLC/dba Sport Center Lounge**

The Clerk explained that Sports Center Lounge has submitted their tavern liquor license renewal. The application is complete and the renewal fees to the State and the City have been paid. The liquor occupation tax will be collected at the time the State issues the license. She also explained that the police department has recommended approval of the renewal.

It was moved by Councilmember Jurca and seconded by Councilmember Carlquist to approve the tavern liquor license renewal for Sewell's, LLC dba Sports Center Lounge. All in favor, motion carried.

**Proposed Changes to the Animal Control Regulations**

Chief of Police Robert Thomas explained that Animal Control is requesting additions to the animal control ordinances for the City of Delta. Chief Thomas explained the following changes:

- Animals visiting from other jurisdictions must be current on their rabies vaccination but do not have to be licensed by the City if not present for more than 30 days.
- Applications for licenses shall be submitted on forms provided by the City and must be accompanied by a current rabies certificate issued by a licensed veterinarian.
- Licenses issued by the City shall be valid for one (1) year from that date of purchase.
- Fees for licenses:
  - \$10.00 for spayed/neutered animal, purchaser must show proof of spay/neuter.
  - \$50.00 for animals **not** spayed/neutered.
  - Replacement tags \$5.00
- Licenses shall be attached to a collar or harness and worn by licensed dog, cats are not required to wear said license. Owners/caretakers must provide proof of current license status upon request.
- Possession or under control of a stolen, counterfeit or forged license tag or a tag belonging to another animal shall be unlawful.
- License tags are nontransferable.

## **Regular Meeting, Delta City Council, November 17, 2009 (Cont.)**

### **Proposed Changes to the Animal Control Regulations (cont.)**

- Fraudulent statement or misrepresentation with respect to any license application shall be unlawful.
- Lifetime City licenses issued prior to January 1, 2010 shall be valid for the life of the animal it was issued to as long as the animal has the same owner/caretaker, said license is legible and the City has correct and current information on file regarding the license. Lifetime tags will **not** be replaced with another lifetime tag.
- Veterinarians, boarding facilities will be exempt.

Councilmember Pfalzgraff questioned when the last change in this ordinance was.

Chief Thomas stated that is was in 1996. He stated that it would make the animal control's job a little easier.

Councilmember Pfalzgraff also stated that it would make information more current.

Councilmember Jurca commented on the changes stating that \$5.00 for the life of the animal is just fine.

Councilmember Carlquist stated that there has to be a way to the pay the fees for tracking or picking up of the animals that are running lose.

City Attorney Michael Schottelkotte recommended to Council to consider possibly a higher lifetime fee. If the licenses were to be yearly it would increase cases into Municipal Court.

There was discussion regarding the renewing of a yearly license.

Mayor Cooper questioned Council if they would like staff to work on the changes and bring it back or make changes now.

Councilmember Pfalzgraff offered to work with the Chief to make some changes and then bring it back to Council.

There was a consensus among Council to have Councilmember Pfalzgraff and Chief Thomas make changes and bring back to Council.

### **Proposed Changes to Cemetery Regulations**

Parks Director Paul Suppes reported that back in the spring an area of the cemetery was dedicated for the new veteran's section of the cemetery. He stated that he would like the following changes to the cemetery regulations for that area:

- All lots and services are the same as the rest of the cemetery.
- Vaults for this section shall be concrete only, due to the fact this will be a stacked system as in other military cemeteries.
- All lots are to be sold to Veterans for their internment.
- Veteran may have his or her spouse buried with him or her with the knowledge that this is a stacked burial with two interments per space or two cremations or one full and one cremation.
- One veteran's stone for primary burial will be an upright Military issue gray granite stone. Spouse's stone is to be a flat gray granite stone directly behind the military stone also with a six inch base.

Mr. Suppes explained the requirements for the military stone. He also explained that the rest of the cemetery regulations would still apply.

Councilmember Pfalzgraff questioned if there would be any additional costs.

Mr. Suppes stated that the pricing would not change. He explained that since they will be stacking the caskets no additional space would need to be purchased unless the spouse is also a veteran and they choose to be buried side by side.

It was moved by Councilmember Seuell and seconded by Councilmember Carlquist to authorize staff to work with the City Attorney to prepare a Council Bill to make recommended changes to the City of Delta Municipal Code. All in favor, motion carried.

## **Regular Meeting, Delta City Council, November 17, 2009 (Cont.)**

### **Discussion on Setting Work Session Regarding Horse Country Arena**

Acting City Manager Glen Black explained that there has been a request from Chris Miller to have a work session with Council to discuss the items that they would like to see at the arena. Mr. Black summarized some of the concerns that they have down at the arena.

Mayor Cooper stated that the earliest Council will be available would be December 15<sup>th</sup>, 2009. She explained that they would be available at 6:00pm to proceed with a work session.

Chris Miller commented on the some of the concerns they are working on at this time.

Mayor Cooper stated these concerns will be part of the discussion during the work session.

Councilmember Carlquist questioned if the content of the letter that was submitted will be the discussion during the work session.

Ms. Miller stated that it would be. She also commented on the budget for the arena.

There was consensus to have a work session on December 15, 2009 at 6:00pm.

### **MOU for Regional Energy Efficiency and Resource Conservation Organization**

Mr. Black explained that they are trying to form a steering committee for the foundation of a Regional Energy Efficiency and Resource Conservation Organization. They need to get support from local jurisdictions as well as utility companies. Mr. Black did explain the responsibilities of the City. There is no monetary requests other than funding for own expenses associated with participation. If the steering committee is formed it may make some state funding available.

Utilities Director Fay Mathews stated that the regional group that is looking at energy conservation is trying to get some funding. Mr. Mathews explained what the steering committee will be looking at. There is some funding available from the state; however, the state looks at regions.

Mr. Black explained the representation for the steering committee.

City Attorney Michael Schottelkotte stated that from the title they are strictly talking about Montrose and Delta Counties.

Mr. Mathews stated that he doesn't see any disadvantages of participating with the steering committee.

Mr. Black explained the general conditions and requirements of the MOU.

It was moved by Councilmember Pfalzgraff and seconded by Councilmember Carlquist to authorize the Mayor to sign the memorandum of understanding establishing a multijurisdictional steering committee for the foundation of a regional energy efficiency and resource conservation organization. All in favor, motion carried.

### **City Attorney Comments**

There were none.

### **City Manager Comments**

Acting City Manager Glen Black stated that Painted Sky has requested a letter of support from the City for the Hartland Dam project. Mr. Black explained the project to Council.

There was consensus from Council to send a letter of support to Painted Sky.

Mr. Black reported that the City's Christmas party will be held on December 19<sup>th</sup>, 6:00pm at the Rec Center.

### **Councilmember Comments**

Councilmember Seuell stated that he will be attending a Region 10 meeting on Thursday.

**Regular Meeting, Delta City Council, November 17, 2009 (Cont.)**

**Councilmember Comments (cont.)**

Councilmember Carlquist commented on the open house at that held at the Police Department.

The meeting was adjourned at 7:40 p.m.

---

Jolene E. Nelson, City Clerk